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OFFICE OF PETITIONS

In re Application of :
Helene Le Buannec et al. :
Application No. 10/527,975 : DECISION ON PETITION
Filed: March 15, 2005 : PURSUANT TO
Attorney Docket No.: P70484US0 : 37 C.F.R. § 1.137(B)
Title: STABLE IMMUNOGENIC :
PRODUCT COMPRISING ANTIGENIC :
HETEROCOMPLEXES :
:

This is a decision on the petition pursuant to 37 C.F.R. § 1.137(b)¹, filed January 31, 2008, to revive the above-identified application.

This petition pursuant to 37 C.F.R. § 1.137(b) is GRANTED.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed January 23, 2007, which set a shortened statutory period for reply of three months. No response was received, and no extensions of time under the provisions of 37 C.F.R. § 1.136(a) were requested. Accordingly, the above-identified application

¹ A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in 37 C.F.R. § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in 37 C.F.R. § 1.20(d)) required pursuant to paragraph (d) of this section.

became abandoned on April 24, 2007. A notice of abandonment was mailed on August 14, 2007.

With this petition, Petitioner has submitted, *inter alia*, the petition fee, the proper statement of unintentional delay, and an amendment. A terminal disclaimer is not required.

As such, the first three requirements of Rule 1.137(b) have been met. The fourth requirement is not applicable.

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the amendment that was filed concurrently with this petition can be processed.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225². All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.

/Paul Shanoski/

Paul Shanoski

Senior Attorney

Office of Petitions

² Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for Petitioner's further action(s).